Committees Bustly Engaged Preparing for the Columbus Celebration-Wine to be Drunk After 1 A. W. at the Banquet-Where the Stands Will be - Regular Army Men are to Wear Slouch Rata,

The report published in a morning paper vesterday that President Harrison and Mr. leveland would sit at the same table at the hanquet to be given at the Lenox Lyceum on Oct. 13 was premature at least. Mr. Cleveland has not yet accepted the invitation to the dinner, and it is probable that Mrs. Harrison's illness will prevent the President from being present. There will be besides the seats at the tables, 32 boxes and 280 seats in the gallery. This will make it possible for several hundred people to listen to the speeches after the dinner. These seats will be sold to-mor-row at 4% o'clock at the Lenox Lyceum. In order to keep tickets out of the hands of speculators the banquet committee has adopted the following rules to govern the sale:

Successful bidders will be accorded a number instead of being required to give their names, which number they will please inscribe upon the "purchasers' cards," which can be had at the door or at the auctionages of the successful of the successfu

tioneer's desk.

Not more than one hox will be so'd to any one person. Not more than one hox will be so'd to any one person, and not more than live seats to any one person. Such box or such seate must be occupied, if at all, by the family or friends of the purchaser.

As many as fire seats may be bought by one person,

such seats also to be occupied, if at all, by the family or friends of the purchaser, but such seats must be in

or friends of the purchaser, for such a sear minst be in the same section, in the same row, and must adjoin each other, the successful bidder having the privilege of taking any pertion of five sents so located.

The successful bidder will please number and fill up the "purchasers' card" stating the number of the box which be purchases and whether in the first or second tier and the price at which it is rold to him, or if his bid is for seats, stating the number or numbers of the eat or seats and the section in which they are located and the price at which they are sold to him.

These cards must be handed to the auctioneer at the

conclusion of the sale.

Purchasers will be duly notified by mail where to send or call for their box or scattickets, and to whose order checks are to be drawn. With a view to enhance ing the enjoyment of all who may be present, the com-mittee beg to announce that the rale of seats and boxes shall be subject to its approval.

Mr. Eutherford B. Hayes has accepted an inritation to the banquet. It is announced that these toasts will be given:

"The United States," President Benjamin Harrison; "The State of New York," Gov. R. P. Fl.wer; "The City of New York," the Hon. John H. V. Armold; "American Patriotism," Gen. Hornce Porter; "The New York Legislature," the Hon, William Sulver: "The Congress of the United States," the ilon, W. Bourke Cockran, "America and its Discoverer," the ilon. Cockran; "America and its Discoverer," the lion. Charles G. F. Wahl, Jr.

At 3 o'clock yesterday afternoon there was a meeting of the evening parade committee, at which it was decided to station 100 men along the line of march of the night pageant. These will burn colored the fifteen minutes before the head of the parade reaches the point where each is stationed. The committee will ride in carriages at the head of the procession.

Bundred inspected all the stands resterday with a corris of engineers and found them to be perfectly safe and strong in all respects. A full list of these stands is as follows:

			Price
Louisten.	Name.	chipworte.	of mutt
City Hall	Mayor a stand	7.500	Free
Washington square	Arch stand	2 800	
Washington square	University stand	2 800	1 7
I n on square	Lafayette stand	400	1.0
I nion square	Lafayette stand	1.200	1.0
t nion equare	Lincoln stand	750	Free
Lnon square	Washington stand	2.000	Free
Union square	Union square stand		\$1.0
l nion square	Cottage stand		1.0
	Century stand	3.600	1.5
I tibeli equare	President's stand	6.00	
Simili-on square			
Madison square		3.200	
Bith av. 40th st.	Reservoir stand.		
tental Park	Plaza stand	7,0(M)	· • 14
Central Park	.Grand Marshal's sta	nd 1,500	5
The second second	was a same of the day of		a non

COLLEGE DIVISION. Marshal: Major Frankin Hart ett and Aides.

Columbia College, LOGO, Francis J. Gaker, Jr., Com-mandant,
University of the City of New York-Undergraduate
College, Craduate Seminary, Medical College, Law
School, School of Poliskogy, and School of Engineer-

College of the City of New York, 549, New York College of Dentistry, 250, Encefficed Medican to acge. New Amsterdam Gint, College of Social Economics, Art Student Lengue of New York, College of Student Lengue of New York, PRIVATE SCHOOL DIVISION.

PRIVATE SCHOOL DIVISION.

Major Mas Heere, and Aides.

Hebrew Orphan Asylum, Minisary maid and Battation, t
Rarnard Section, Minisary maid and Battation, t
Rarnard Section, Minisary Minisary, 1998.

Berdentown, N. J. Mittary Libert, 1999.

Leaf Cadets of Plantacid, N. J.

General Society of Mechanics and Tradisarien, 1990.

Columbia Grammar School, 1990.

General Section of Mechanics and Tradisarien, 1990.

Guillering Spears, 1999.

Guillering Spears, 1999.

Junious and Americal Colomial School, 59.

Guillering Spears, 1999.

Junious Academy Brooklyn, 1999.

Ford, Leginick Academy Brooklyn, 199.

Guillering Spears, 1999.

Ford, Leginick Academy Brooklyn, 1999.

Guillering Spears, 1999.

Guill

of the public school division, outside these two already given, there will be twenty regiments, making a total of 10,100 boys. The Catholic schools will add as many more.

The Committee of One Hundred has decided to farnish the newspaper men with a special budge that will allow the wearer to pass through all lines and enter all stands during every parade of the week. The posteomen on duty will be ordered to afford them every facility for bassing through the crowds, and to escort them if necessary.

The Shanish craiser Infanta Ysabel is expected to part within a lew days. She is a twin-science who ship of L150 tons, 210 feet long, 32 feet beam, with an average speed of fourteen knots. She was built in 1885, and carries an atmanment of live 5-inch breechbeding rifles.

In the regular army there is gloom and serrow. Gen 0.0, floward has ordered that so much of the army as is to take part in the Columbus parade must appear in marching uniform, which includes, in this case, leggings and the siouch but worn by soldiers out on the plains.

This is rough on us," an officer said 56s-

Columbus parade must appear in marching uniform, which includes, in this case, leggings and the shouch hat worn by soldiers out on the pinins.

"This is rough on us," an officer said yesterday. "This parade can only be considered, so far as the part the army takes, as a pageant. We make a better show in our helmels and all our gold and feathers. Mry the General commanding this department wants us to turn out bereft of all our linery we cannot rangine. We would give the people a better show in ear full war paint, and he better pleased that way. Possibly that is the reason tien. Howard has ordered otherwise."

A few applications for permission by properly owners or householders along the line of the barade to erect platforms or stands within the stoop lines were possented to the Board of Aldermen resterday. Before they could be acted upon a general metion for permission to erect such platforms or stands was proposed. It provided that all such stands should be within the stoop lines had not on them, and that they should be built under the supervision and direction of the Superintendent of Public Buildings. This motion was passed and the individual applications were tabled.

A little breeze arose over the application of Edward Ferraro for a license to sell liquors between the hours of I and 5 A. M. in the Lenox Lyceum during the banquet on Oct. 13.

Alderman Noonan said that, as the time was short, they should waive the form of bringing the application before the Excise Committee and grant permission at once Alderman O'Beirne said this would be unjust discrimination. They might as well do the same with Delmonico's and other places.

"The time is too short and this is a public necessity," said Alderman Noonan.

"It isn't our fault," said Alderman O'Beirne. "It should have been thought of sooner."

Alderman Mend thought they could get enough wine before I. P. M., and Alderman O'Beirne. "It should have been thought of sooner."

A the matter was finally put to a vote, the mainer by other and the public think."

The mat

street. Tenth street, two at or near Union square and two at Madison square. Thirty-fourth street and Fifth avenue. and Fifty-eighth street and Fifth avenue. There are only 1,299 places designated for truck stands along the route of the parades, and Superintendent Byrnes has received 8,000 applications for them.

People who passed the City Hall yesterday stopped to watch the decorations is a lavish display of American. Spanish, and Italian flags centring in a portrait of Columbus over the portico. The arms of Italy and of Spain, flanked by large banners of these nations, have prominent places on either wing, while from the cornices are festioned flags of all countries, broken by the arms of different States and bunches of small American flags. Retween the rillars of the portico are graceful draperies of red, white, and blue, and lines of all kinds of small flags lead up to the national, State, and eity standards floating from the flag poles.

all kinds of small flagslead up to the national, State, and city standards floating from the flag poles.

Most of the spectators were content to remark that the decorations were appropriate or striking, but one observant newsloy though the could play a buily game of checkers on that there, meaning the Spanish arms, and to a tail Yankee, still full of home reminiscences, the red, white, and green Italian flag suggested a New England boiled dinner-corned beef, potatoes, and greens.

Many of the flags, like the Greetan, Danish, and Scandinavian, were unfamiliar to a large part of the crowd, who recognized with glee that the French and Prussian ensigns were as far separated as possible. On the sides and back of the building are the arms of the greeter European powers draped with their own colors, and over the back door are three large American flags, with the forty-four stars on a blue field.

The Naval Parade Committee has received

American fings, with the forty-four stars on a blue field.

The Naval Parade Committee has received word that about 250 steamers, tugs, steam yachts, and other craft will take part in the naval parade. Possibly this number will be increased to 300. Whitelaw field and llengamin Wood have been appointed as a special committee of the Press Committee to secure a vessel for the use of members of the press during the naval parade.

Gen. McLeer of the Second Brigade will order out his entire command for parade with the New York regiments on 0ct. 11. The Brooklyn regiments will nasemble at their armories at 8 A. M. The Catholic Knights of America residing in Brooklyn will participate in the procession in this city on the night of Oct. 11. They will number 600 or 700.

THE MARINE BAND TO BE OUT. It Will Head the Naval Division of the Big

Columbus Parade. WASHINGTON, Oct. 4.-Secretary Tracy expects to be in New York to-night to confer with the members of the Columbus celebra-tion committees, and assurethem that although the President may not be able to attend everything within the power of the Executive will be done to contribute to the success of the entertainment. The full Marine band has been ordered out for the occasion to head the naval division of the parade. It was intended to order the four troops of cavalry stationed at

in violation of naval regulations to allow civilians to crowd the decks of men-of-war under such circumstances.

Secretary Foster of the Treasury Department has received similar requests from persons who desire to witness the review from the revenue cutters in New York harbor. He followed the example of Secretary Tracy and declined the requests. To facilitate the work of keeping the channel clear the Secretary of the Treasury has authorized Capt. Congdon of the revenue cutter Manhattan to issue revenue service flags to such tagloats as may be employed that day in doing police duty in the harbor in connection with the review. The revenue cutters will endeavor to keep the channel clear of craft, great and small, during the review, not only for the inensit of the spectators, but to prevent accidents.

At the Washington Centennial celebration, at the beginning of the present Administration, there was great difficulty in keeping the course of the naval parade clear. The order of procession was materially interfered with, hesides there were several accidents, which might have been avoided had the pleasure boots kept out of the way.

The Bent with Bull Up and Sheet Past Picked Up in East River.

Capt. Joseph Helf of the Old Dominion Steamship Company's tog Sterling picked up in the East River off Grand street yesterday afterneon a small Whitehall boat under sail afterneon a small Whitehall boat under sail with her sheet fast and without a crew. Her cargo consisted of ten boxes of giant blasting powder marked Climax Pewder Manufacturing Company, and addressed to S. T. Apollonio, who is a dynamite dealer, living on Staton Island. There was also a small package of groceries on board. The name "C. G. Hoffmarer, Jercey City," was burned into the stern of the boat. Capt. Helf towed her over to Erie Basin. He said that he recognized her as one of a feet of small boats that are used to deliver powder from the ship Alaska at Communipaw. Capt. Helf thinks that the man who was sailing the boat went overboard in a squall.

APPORTIONMENT UP AGAIN.

THE THREE CASES ARGUED IN THE COURT OF APPEALS.

Attorney-General Rosendale For and W. A. Sutherland Against the Constitutionality of the New Law-The Court's Becision to be Ready Next Tuesday, Perhaps,

ALBANY, Oct. 4.- The three apportionment cases, involving the constitutionality of the new Apportionment law, came up for argument in the Court of Appeals this morning. In the case of the People ex rel. Bond. appellant, agt. the Board of Supervisors of Monros county, the Court is asked to issue a writ of mandamus compelling the Board of Supervisors of Monroe county to redistrict the As-sembly districts in that county in compliance with the Apportionment law passed by the Legislature. C. D. Kiehel, City Attorney of Rochester, appeared for the appellant, and W. S. Sutherland of Rochester for the respondents. In the second case, the People ex rel. Horn, appellant, agt, the Board of Supervisors of Oneida county, the proceedings are the same as in the Monros county case. H. J. Cookingham of Utica appeared for the relator, and R. E. Scripture and J. S. F. Farle of Utica for the respondents. In the third case, the People ex rel. George C. Carter of Utica agt. Frank Rice, Secretary of State, the Court is asked to grant an injune

Carter of Utien agt. Frank Rice, Secretary of State, the Court is asked to grant an injunction restraining the Secretary of State from recognizing the new Apportionment law, or sending out notices of election of members of Assembly to County Clerks, under the law. The arguments were made by Edward H. Rissley of thea for the appellant, and Attorney-General Rosendale for the respondents.

While each case was argued separately and briefs were presented in each, the question of the constitutionality of the Apportionment and of the legislity of the extra session were practically argued by Attorney-General Rosendale for and Mr. W. A. Sutherland against. All of the other arguments followed in the same lines execut as to local features.

Attorney-General Rosendale in arguing for the apportionment said:

"The enumeration of the inhabitants of the State, on which the apportionment was founded, was constitutional and legal, notwithstanding the fact that it was made in the year 1852 and with a live. The icovision that an enumeration should be taken in the year 1852 and every tenth year the provision that an enumeration should be taken in the year 1855 and every tenth year the feetalter was merely directory as to time. In assume as the Legislature of 1855 and its six successors had neglected to obey the command of the Constitution by the passage of an enumeration law, the provisions of the Constitution as to the time being directory, it recame not only the right but also the duty of the Legislature of 1852 to conform to the constitution by passing this act, but they would have violate it if they had failed to pass this or a similar law.

"The Appertionment law passed at the extra

law now passed. They did not violate the Constitution of the parade. It was intended to order the four troops of eavalry stationed at Fort Myer to New York to participate in the military feature of the parade, but at the last moment the order was revoked, because of the inconvenience attending the shipment of horses for the troops. Gen. Yind and legal. The Constitution provides shipment of horses for the troops. Gen. Yind and legal. The Constitution provides the series of the parade will be very creditable, and should make a good display. Numerous requests have been made by persons of business and social distinction for permission to view the naval parade from the war ships articipating. Secretary Tacy has refused all such requests, because it would be in triolation of naval regulations to allow the nature of the present should be allowed and such requests. Secretary Tacy has refused all such requests, because it would be in triolation of naval regulations to allow the naval regulations to allow the naval regulation of the revenue cutters will be review from the revenue cutters and the properties of the Treasury Department has received similar requests from persons when the properties of the Treasury and the revenue cutter Manhattan to issue of the Treasury has absolutely and the properties of the Treasury has authorized. Capt. Congdon of the revenue cutter with the review from the large parameters of the treasury of the Treasury has authorized. Capt. Congdon of the revenue cutter with the review from the large parameters and the properties and the properties and the properties and the properties of the Treasury has authorized. Capt. Congdon of the revenue cutter will be received to the constitution of the present system of the Treasury has authorized. Capt. Congdon of the Treasury has authorized depth of the present system of the Treasury has authorized depth of the Treasury has authorized. Capt. Congdon of the Treasury has authorized depth of the constitution of the present system of the Treasury has authoriz the resonal enterior is a live with finding of the channel of the country. The desired of the country is the country of the channel of the country is the country of the co

portion."
It is believed that the court will be ready with an opinion by Tuesday next.

Judgment for \$4301 was entered yesterday against the South Beach Amusement Company in favor of Charles D. Koppel on a note

MINISTER EGAN BACK ON LEAVE.

He Brings the New Treaty and the Indem-nity Money Awarded by Chill. Patrick Egan. United States Minister to Chill, arrived on the Pacific Mail steamship Newport yesterday morning at 9 o'clock. He

left Valparaiso on Aug. 30, was twenty-one days sailing to the isthmus, was detained there six days, and was six days on the trie from there to this port.



THE HON, PATRICK EGAN.

Mr. Egan was the first to land, and was welcomed by a number of friends and representatives of Irish societies. On the pier waiting to greet him were Jeremiah B. Murphy, P. J. Tynan, Dr. Toal, Irish Nationalists; Capt. Peter Brereton of the Irish Veterans of the Papal Army; Edward Fitzwilliam, Boston Irish-American Club: Austin E. Ford, Irish-American Union; Col. Patrick Cunnian, President Catholic Workingmen's Benevolent Union: T. F. Driscoll, President Catholic Young Men's Association: William F. Connor, Young Men's Institute: Col. James Cavanaugh, Capts. T. F. Lynch and Morgan, Lieuts, O'Brien, Healy, McCrystal, and Ford, Sergt, Joseph Johnson, and Bandmuster Bayne of the Sixty-ninth Regiment: Frank J. Ward, Gaelle Society: Prof. John P. Brophy, President St. Louis College, and J. F. Kelly, the sculptor. Patrick chat on the pier.

Mr. Egan is sunburned and stout. In his dark scart he wore a large diamond-shaped rald with a diamond at each of its four

dark scart he wore a large diamond-shaped emeraid with a diamond at each of its four points.

A Sun reporter called on Mr. Egan at the Gilsey and asked him if he intended to take an active part in the Presidential campaign.

"I do not expect to," ne replied. "I shall go to Washington to-morrow to remain a few days. Then I shall return here, and after a visit with my friends shall go to my Nebraska home. I shall be in the United States two months, that being the term of my leave. My business in Washington is to deliver the new treaty and turn over the \$75,000 indemnity awarded by Chill in response to our claims resulting from the Baltimore affair. The \$75,000 is in the shape of a letter of credit on a Paris bank. It is to my order, and when it has been turned over to the Navy Department the distribution will be made by the Secretary of the Navy. The new treaty has been approved by the Chillan Senate and House of Deputies, and when it has to en approved by our Senate it will be returned to Chili for ratification.

"The negotiations for this treaty and many

that put off too long the means of recovery.

It does more. It is halfdigested already. It slips through the stomach as if by stealth. It goes to make strength when cod-liver oil would be a burden.

Scorr & Bowns, Chemists, 130 South 5th Avenue, New York.
Your druggist keeps Scott's Emulsion of sed-liver chi-chi druggists everywhere do. \$1.

DEFEATS FOR THE CENTRAL.

IT LOSES THREE IMPORTANT CASES IN THE COURT OF APPEALS.

Decisions that May Affect its Title to Many Miles of its Route Along the Had-son-The City Wins the Dock Suit. ALBANT, Oct. 4.-The Court of Appeals made three decisions to-day against the New York Central Railroad. The decisions in two cases may, it is said, affect the railroad's title to many miles of its route between New York and Albany, along the Hudson River.

The principal case is that of the N. Y. C. and H. R. Company, appellants, agt. Thomas Aldridge, respondent. In this case the plaintiff, Aldridge, brought an action to recover possession of certain lands in the town of Fishkill, Dutchess county. The land in question was, prior to 1846, under the water of the Hudson. The original owners of the adjacent upland gave the railroad right of way over a strip which was out of water. Subsequently the Central-Hudson management changed its line and built its road further west under the impression, it is alleged, that, being the occupant of the strip next adjacent to the river, it could build on land under the water adjoining so long as the State, which held title to all lands under water, did not object. When Aldridge, the present owner, came into possession he held differently, and contested the right of the railroad to its present roadbed in Fishkill adjaent to his lands. Judge Peckham, who writes the opinion olucides with Aldridge, and the judgment of

the lower courts in favor of Aldridge is af-firmed with costs. As the case will probably be used to settle numerous others. Judge Peckham's opinion, from which the following extracts are taken, is given. The Judge says: "By the original act of 1846 the railroad company was to adopt a certain line or way for the railroad, and this course so selected. the statute said, should be the line on which the road should be built. The State, however, did not, in any of the statutes, convey any land to the company which belonged to the State, either above or under water. As to lands of individuals, the company secured no title by selecting and adopting a course and filing a man; it still had to purchase such

omain." In reply to the argument that the defendant, In reply to the argument that the defendant, when he sold the land to the railroad on which its tracks were laid, and which was between his land and the river, ceased to be a riparian owner, Judge Peckham holds:

"The company took the lands for the use of its road, and for that only. At the time when the strip was conveyed to the company it had determined and located its line, and the conveyance simply granted that which was included in its location. The conveyance to the railroad of the strip in question is in its effects entirely unlike the conveyance to a private individual in fee simple. In the latter case it may well be that the granter, even of so marrow a strip, would lose his character of riparian owner, and the granter would acquire it. But when we consider the purpose of the conveyance to he railroad and the limitations to its use, it becomes plain that the granter ought not to lose his character of riparian owner where he retains the property

itations to its use, it becomes plain that the grantor ought not to lose his character of ribarian owner where he retains the property immediately adjoining that which he conveys. Grants of land were authorized to be made to the urland proprietor for the purpose of promoting the commerce of the State. A railroad company could certainly not promete such commerce and hence would not come within the class of persons named in the acts conferring the power to convey land. The grantor still remains the owner of the adjoining upland, and he or his grantees are the persons to whom a grant of land under water may be legally made. The defendant having received his patent prior to that granted to plaintiff, and the plaintiff then having no rights or privileges to which defendant's patent was subject, it follows that a defence to this action has been established, and the indgment of the General Term is affirmed, with costs."

A similar case entitled Alexander Saunders, respondent, vs. New York Central and Hudson River Railroad Company, appellants, was also decided against the railroad, and Judge Eari, who writes the opinion, simply refers to that of Judge Peckham in the first case. The effect of these decisions on the title of the Central-Hudson to its present route along the Hudson River, which is in general west of its original line, is considered very important.

The city of New York also defeated the Central-Hudson Company in the Court of Appeals to day. The court decided in the city's favor in the suit to acquire title to certain piers and wharf properties between Thirty-iourth and Thirty-sixth, Forty-first and Forty-second streets, and Twelth and Thirty-sixth, Forty-first and Forty-second of the late Marshall O. Roberts, The city wants to acquire title to carry out the provisions of the net allowing it to set apart of the estate of the late Marshall O. Roberts, The city wants to acquire title to carry out the provisions of the net allowing it to set apart of the restate of the net allowing it to set apart of the cent

to acquire title to carry out the provisions of the net allowing it to set apart certain piers for special purposes. The Central-Hudson opposed on these grounds:

opposed on these grounds:

1. The act which permits the city to set apart the wharves nearlest beffect for a private use of such property, and the property cannot be this accoursed against the will of the owners by the right of eminent domain,

2. The property is already devoted to the public size by rairroad and gas companies, and cannot be condemned to any other public use under a general legis

Judge Peckbam, in a long opinion, in which the court concurs, holds none of these objec-tions valid, and decides against the railroad. the court concurs, holds none of these objections valid, and decides against the railroad.

Among other decisions in the Court of Appeals to-day was one giving to the heirs of Jerome B. Parmenter of Troy 559,750 and costs of court. The defendant, the State of New York, haste ray this amount. It was an appeal in the noted State printing contract case from the flual award and judgment of the Board of Claims.

The Globe Mutual Benefit Association appealed from an order of the General Term, first department, affirming the order of a Special Term, restraining it from continuing to transact business, so far as the insurance of minors against accident, sickness, or casuality, and the insurance of the lives of minors is concerned. The interesting question was whether a cooperative insurance company incorporated under Chapter 175, Laws of 1883, and which had adopted the by-laws adopted by this company, could insure the lives of minors the same as other insurance companies might, Attorney-General Rosendale contended that there was no law authorizing an infant to become a member of a cooperative or assessment life insurance company. The restraining order was affirmed with costs.

pany. The with costs.

Switchmen Strike at Columbus, O. Convinues, O., Oct. 4.-A general tie-up oc-curred in the yards of the Big Four Railway Company this morning, caused by a strike of all the switchmen in the employ of the company at this point, and as a result all freight business was suspended and freight trains can neither go out or be made up for other noints on the road. Of course, there will be no interference with the passenger traffic. The cause of the strike of the switchmen is the acting assistant yardmaster, whom they claim is a non-union man, while the question of wages also enters into the difficulty.

KINGSTON, Oct. 4 .- A report that the Mary owell had burned at New Hamburgh spread through this town about 6 o'clock to-night and caused great alarm. There were many Kingston people on board, and the crowd that gathered at the dock was much relieved when the Powell steamed up the creek about 9 o'clock. Those on board knew nothing about the rumor. The report was said to have been telegraphed from Poughkeepsie.

They Took Polson Together.

BAY CITY, Mich., Oct. 4.-David Lamontague, a blacksmith, aged 45, living at Essexville, joined his wife, aged 55, in a cup of poison yesterday. She died and he is in jail, where he will remain until the effect of the poison is shown. He says both were thoroughly dis-gusted with life and wanted to die.

FLINT'S FINE FURNITURE AT LOWEST PRICES YET OFFERED. ALL NEW DISIGNS AND LATEUR STYLES. Elegant Parlor and Library Soits, in Rich Tapestries,

Satin Brocades, &c., &c.
Rich and Plain Chamber and Dining Room Suits in Muhagany, Wainut, Oak, Ac., Ac., the very latest paterns, admitted remarkably chesp. Parchasers should embrace the opportually

Picoring, at our 10th at, factory.

here presented to obtain well-made and stylish Purniture at extremely low prices. WOODWORK AND BECORATION. Interior Cabinet Work, Wood Mantels, Parquette

CEO. C. FLINT CO., FURNITURE MAKERS, NOE. 104, 100, 100 WEST 14TH ST.

Apollinaris
"THE QUEEN OF TABLE WATERS."

"ABSOLUTELY PURE."-The Sanitary Record.

SHE IS 17 AND HE 73.

They Met at a German Buttroad Statton-She Says He Premised to Marry Her. A motion of Emma Hermann, who is suing Andreas Schwendemann for breach of promise of marriage, for the examination of the defendant before trial, was denied by Judge

McAdam of the Superior Court vesterday. Emma is 17 years old and Andreas is 7%. The girl says that she had been living out at service in Germany, when, on the night of Aug. 8, 1801, having left her situation, she went to the station at Offenburg to take a train for her mother's home. She had already sent on her clothes. She found that the last train had left, and, seeing the elderly defendant walking up and down at the station, she asked him where she could go to spend the night. He told her she should go to America with him and his daughter would teach her dressmaking. The train for Bremen came in soon and he urged her aboard, she says he promised to marry her.

They came to this country, where they lived together, according to her story, until last spring, when finding he would not keep his promise to marry her, she left him.

Her counsel said that the German newspapers were filled with stories of her disappearance. The people of the neighborhead had believed for some time before she left that the Turkish harems were recruited in the German provinces. There had been some Tarkish merchants at Ohenburg about this time, and the authorities had made every effort to trace her disappearance to them.

Schwendemann, who lives on his rents as owner of 1939 Last Fourteenth street and other houses in the neighborhood, said yesterday that he had brought the girl over, paying her expenses, because he desired a servant. He denied that he had maintained improper relations with her. sent on her clothes. She found that the last

JUDGE W. L. MULLER'S INTATE.

Over Mrs. Jennie McGraw Fiske's Mill. Argument was heard by Justice Ingraham of the Supreme Court yesterday in a demurrer to an action brought by James W. Ridgway as administrator of the late Judge William L. Muller, to recover on a note of \$25,000 given as a result of the famous litigation over the will of Mrs. Jennie McGraw Fiske.

The will of Mrs. Fiske, which gave the bulk of her estate, about \$3,000,000, to Cornell University, was contested by her busband, through the State courts and into the Supreme declared invalid, as Cornell already had all the property that its charter permitted it to hold. Charles P. Bacon, who represented Prof. Fiske in the litigation, secured a contract for Spercent, of the recovery from Prof. Fiske, He employed ex-Judge Muller as counsed in the case, and to pay for his services gave him a note for \$25,000 and an assignment of his prospective interest to that extent in the estate.

prospective interest to that extent in the estate.

Muller transferred the note to Lewis M. Smith as security for other notes due smith from Muller, and also gave an assignment of the interest given to Muller as collateral security for the payment of the note. Eacon's note has not been paid, and Muller's administrator claims that the obligations of Muller's death, and that Muller's estate could enforce payment on the note. death, and that Mulier's estate could enforce payment on the note.

Bacon, the estate of Mrs. Fiske, and Smith were all made defendants to the action. Charles Donohue, in behalf of the defendants, contended that causes of action had been improperly joined against these defendants. S. C. Chandler argued in opposition in behalf of the plaintiff.

Decision was reserved.

estate of over \$6,000,000. His will directed that \$2,100,000 be bequeathed to twenty colleges, and \$95,000 to several hospitals. The quests were also increased. A short time before Mrs. Fayerweather's death, which occurred in the early part of the summer, an action was begun in her name in the Supreme Court to set aside her husband's will. The action was merely begun by the service of the summens without any complaint. Mrs. Fayerweather having died, the question has arisen whether it can be continued by her executors.

Before Surrogate Ransom yesterday a number of lawyers appeared interested in the estate of Mr. Fayerweather, which came before the court upon the question of the payment of the collateral Inheritance tax upon the bequests under the will, which will aggregate about \$150,000. It was agreed to postpone the hearing for a few weeks, until the question as to the survival of Mrs. Fayerweather's action should be settled. juests were also increased. A short time before

The horse of George Dittmeyer of 215 East Seventy-fifth street, driver of a junk wagon, ran away at G o'clock last evening, going north from in front of the grocery store on the northwest corney of Thirtieth street and Third avewest comey of Thirtieth street and Third avenue. At Thirty-first street the horse knecked down Lawrence Brennan, 33 years, old of Long Island City. At Thirty-second street he knocked down Letitia Myer, and 40, of 587 First avenue. At Thirty-fourth street he fell. A young man caught him by the bridle as he rose. The horse kicked his custor in the groin. The man got up and limped away. Policeman Stewart grabbed the animal and held him. Two ambulances carried Brennan Island held him. Two ambulances carried Brennan held him. Two ambulances carried Brennan and Letitia Myer to Bellevue Hospital. Sim-ultaneously a third ambulance was called to Thirty-fourth street and Second avonue to take care of August Kleinst, who had been run over by a horse car.

McIntonb and Mrs. Mursb to Go to Pitts-burgh To-day.

Sheriff Muller of Richmond county received word yesterday that the requisition papers for Mrs. Marsh and James McIntosh, who are wanted in Pittsburgh for grand larceny, had been signed by Gov. Flower. The Sheriff will receive the paners this morning, and the pris-oners will be taken before Justice Stevens at 10 o'clock in the Richmond County Court, They will probably be taken to Pittsburgh this fternoon.

Lynched for Murdering a Young Woman RALEIGH, Oct. 4.-News has been received here of a lynching at Camden Court House in Camden county, near Edenton. The victim Camden county, near Edenton. The victim was Joe Barco, who an Sept. 13 assaulted and then murdered Mrs. Frank Sanderlin at her home near Shilob. Mrs. Sanderlin was recently married. The crine was committed in daylight near the village. Mrs. Sanderlin's body was cut to biscess with a hoe. Barco can fessed his guilt after a Coroner's jury had found a verdict against him. He was taken from the jail by 500 men and was hanged and his body riddled with builets.

The Blume Placed on the Alva.

Boston, Oct. 4 .- Andrew Burnham and Andrew J. Savage, the local United States inespectors at Boston, have rendered their de-cision in the Alva-Dimock collision case. They exonerate the officers of the Dimock from blame and hold that the Alva was not under the control of a pilot licensed for that route, and that a competent pilot would not have anchored where the Alva did. They suspend for six months the license of Capt. Morrison of the Alva. spectors at Boston, have rendered their de-

The lady cyclists are carnesly, restet to appear at the meeting of the ladies divided for the total bid paragraph and the ladies of the ladies at the theatre of the ladies at the theatre of the ladies at the theatre of the ladies at the ladies of the ladies at the ladies of the ladies at the ladies of the ladies are ladies at the ladies of the ladies are ladies at the ladies of the ladies are ladies are ladies at the ladies are ladies are ladies at the ladies are ladies are ladies are ladies at the ladies are la Club House, Forty Jourth street an endmon avenue
William Windle is said to have ridden a mile, flying
start, in 2 minutes 4.5 seconds on Friday, at Springfield lowering the existing record of 2 minutes 5.55
seconds made by Zimmerman. He also inversed to
three-quarter mile record of 1 minute 33.45 seconds
held by Harry Tyler. Windles I time for this latter distance was 1 minute 32.55 seconds.

All wheelmen in the insurance business destring to
participate in the monater pareds on the evening of
the 12th who are not already provided for by sinhe are
requested to cend in their name at once 6 v. H. Root,
Sed Breadway, room ed, or 72 West Forty-eighth street,
it is necessary to kiew as soon as possible how many
to gravide for or as to secure a place in the line. HOT SHOT FOR THE BOOKIES.

Chief dustice Beastey's Charge to the Monmonth Grand Jury.

FREEHOLD, N. J., Oct. 4.-The October term of the Monmouth County Courts opened here this morning. After the Grand Jury, with Frank B. Conover as foreman, had been sworn in. Chief Justice Beasley delivered a strong harge, most of which had reference to the racing at Monmouth Park during the summer.

"There will be presented to you complaints of a violation of the law that seems to have occasioned in this county considerable excitement. I refer to the law that prohibits gambling on race courses. I am informed that a large number of complaints of that character

will be presented before you. Now, there are a few matters that I wish to impress you with in that regard. In the first place, the Grand Jury has no discretion where it appears that a criminal law has been violated. You cannot say, 'I think the law that is alleged to have been violated is a poor law and I do not lelieve in it.' It is the law of the State, and we are here to execute the laws of the State. Neither you nor I can push aside the law because we do not approve of it. If you do not like the law go to the Legislature

If you do not like the law go to the Legislature and have it altered.

The refore I impress upon you that you have no discretion, the only question before you is, has any criminal law been violated, and does it appear before you that it has been violated, if that is the case you are to find indictinents; you cannot help yourselves.

'I suppose you all know that a bet at a race ic a violation of the criminal law of the State, rock is a violation of the criminal law of the thate;' the mee track is kept in such a way as to this a way are track in kept in such a way is a violation of the criminal law of the State, but it is a violation of the criminal law of the tate of the state of the Now, I have no files that any man upon his Grand Jury, knowing his duty, will hesi-late to perform it. I have not met in my ex-perience that kind of grand jurymen who will he-state under such diremmstances, when they know their duty and when they know the

consequences."

Justice Heasley also called the attention of
the Grand Jury to the case of linker Mollick
of Long Branch, who, it is alleged, was forcibly removed from the State on the charge of
being an accessary to Berkman, the littsburgh
Anarchist who shot Henry C. Frick.

The Cracks to Me t Again at Traver's Island.

The New York A. C. cames to be held at Traver's Land next Sa'unday are being looked forward to with unusual interest. The entries closed yeaterday and payment on the note.

Bacon, the estate of Mrs. Fiske, and Smith were all maded endants to the action. Charles Donohue, in schalf of the defendants, contended that Fauses of action had been improperly joined against these defendants. S. C. Chandler argued in opposition in behalf of the plaintiff.

Decision was reserved.

THE FAYERIFEATHER WILL AGAIN.

Boes the Widow's Action to Set the Instrument Aside Survive Her?

Although the millionaire leather merehant. Daniel B. Fayerweather, has been dead since Nov. 15, 1809, and the contest over his will was supposed to have been settled over a year ago, there seems to be a prospect that his estate may be brought into further litigation in the Supreme Court in the shape of a suit to set aside the will. Mr. Fayerweather left an estate of over \$0,000,000. His will directed exceptional performances are premised. All the events

The third meeting of the Board of Managers of Carwidow contested the will, and by a compro-mise the annuity left to her was increased from \$15,000 to \$25,000. Other personal betourisment were received and considered. The entry list, which will close so. Vendar, tet. 10, has been limited to tworty-me clibs timy a few vacancies are set to be hilled. The tournament will open on Mouday, tet. 17.

Hickey the Champion.

The one-mile race for a \$1% gold medal and the championship of the New York and Brooklyn police forces was run yesterday afternoon at the Union Athletic

At the Handball Courts, "Talking almat your active men in a court," said a veteran blaver yesterday." Harney McQuarts was the dineses than 1 ever saw handle a ball, and be could slay for a week in a court."

quiescat union i ever saw handle a ball and he could stay for a week the could stay for a week the could stay for a week the could be compared to throw out any time a strong because he is ready at any time to take the two time to take the two time to take the two times and the Brooking the latter.

John B. Brooking — Its Smith stored thirty aces in one hand at the Brooking Handball Club's control sept 28 km. Twenty two of the aces were by service. He and down hawnow were opposed to ex-Alderman binnes of Brooking, and Frod John Coggins.

It is start it that a coint will soon be erected in the vicinity of 120th effect and third seems, this city. It might also be stated that for the past three or four years for Bernaud Medyhale has had in view the constitution of a trist-ches court. Both projects will ready be sampleted with the next countries celebration type at the one side of a superiority between those old.

day of the Brooking handball club.

I say has been making further improvements to his court in Brooking. The majors wherehe will be in major been to be the property wherehe will be in major to be major to the major been remained to a place in the galery wherehe will be in major for the handball. It the champion his assistant or Any there promise altisous to almost the standing of the contratants in a game a speading take to the galery was trained the internation. Then a new system of ventuation has been established, thus avoiding the contratants has been established, thus avoiding the standard contratants are established, thus avoiding the remaining the entire building legited by electricity. This a necessity was trained to be a more or less extent in every earl, it is a necessary intention to have his entire building legited by electricity. This is a necessary to the game are those to play during the day. I however on every hand, said the champion admirers of a major existence of a major existence of a progressive spirit in the sport, as it mean that hothing islaid be lacking towards further development of that spirit.

Olds and Ends of Sports.

Order and Ends of Sports.

The Calbedral A A elected the following officers an Monany exching Jaines J. Carroll, President; John J. Smith, Lee Pres dont; Edward J. Cuff. Corresponding Secretary, that he are dont; Edward J. Cuff. Corresponding Secretary, that he are dont; Edward J. Cuff. Corresponding Secretary, that he should be seen proclising at Ein Farz. S. L. for the part three Sandays, and are fast developing an element of team work and still when will avasitually mate them a formaticable team is meet.

The members and substitutes of the "Chippie" craw will get a large didiner at Travers I land on Oct. 11 to t. E. Knobloch who leaves on Oct. 15 for a two years stay in Except. Mr. Enobloch occupied Mr. 2 integribent the craw's phenomenal career, and will be diducted to replace. On the morning after the banquetite craw hope to have a final spin legester. Except there is a big race at the Chicago Exhibition near year, that diminist thinks himself and a few others will be missing from the combination in future.

An enthushastic meeting of the new Empire City Athletic Chib was held at heiser's assembly Rooma hast Thirty third street, last evening. The committee appointed by President T. A. Bennan to accore esequal quarters for the norman under the arrive at any satisfactory agreement with the owners of the house on Leainston avenue, which the club has had in view fersoms thus. The owners' stipulated restrictions were considered very severe, and the committee were finally inclinated quarters. The Serverlary reported the receipt of many applications for membership, among them levely the issues of eversion of the old seek issue. It is intended to put a first class hirling team into the field this season. Fredshill will also receive special attention, many good players being on the books of the

A .. ERILA'S PAVORITE WATER,

Mon. J. M. Ench. Secretary of Agricultures
"The hest water in the world."

Hon. Sec., E. Javis, Director-Con, World's
"I regard Setheeds Water the best in the Market."
"I regard Setheeds Water the best in the Market."
"I regard Setheeds Water the best in the Market.
"I regard Setheeds Water the best in the Market."
"I regard Setheeds Water the best in the Market."
"I regard Setheeds Water the best in the Market."
"For sale by all Progrists and Orecom.
"SOMETHER Agent, 6 Bertar at, B. B.